

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA
***ex rel.* SARAH BEHNKE,**

Plaintiffs,

v.

CVS CAREMARK CORPORATION, *et al.*,

Defendants.

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: **CIVIL ACTION**
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: **No. 14-824**
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ORDER

AND NOW, this 23rd day of December, 2020, upon consideration of Plaintiff-Relator's November 30, 2020 letter regarding a discovery dispute (ECF No. 116) and Defendants' response thereto (ECF No. 121), and following a conference with the parties on December 17, 2020, it is hereby **ORDERED** that:

- I reiterate that SilverScript Insurance Company ("SilverScript") is no longer a named defendant in this action. (ECF No. 79.) However, Plaintiff-Relator may still seek to discover information related to the alleged submission of false claims by Defendant CaremarkPCS Health LLC ("Caremark") on behalf of SilverScript beneficiaries.
- Plaintiff-Relator may seek this information from Defendants directly, and Defendants shall promptly produce any and all responsive documents that are in its possession or control, including those documents in Defendants' possession that may have been prepared by SilverScript.
- Plaintiff-Relator may also seek such information from SilverScript via a concise, not overburdensome subpoena.

- **Within 14 days of service of a subpoena on SilverScript**, counsel shall meet and confer regarding the prompt production of documents responsive to the subpoena.
- **Within 45 days of service of a subpoena on SilverScript**, to the extent there is no disagreement between the parties, SilverScript shall produce all responsive documents. If the parties cannot reach agreement, they may file a joint letter seeking my assistance in resolving the dispute.

BY THE COURT:

/s/ *Mitchell S. Goldberg*
MITCHELL S. GOLDBERG, J.